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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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23910	7590	12/31/2007	EXAMINER	
FLIESLER MEYER LLP			AUGUSTIN, EVENS J	
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14TH FLOOR			PAPER NUMBER	
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			12/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/655,713

Applicant(s)

LE ET AL.

Examiner

Evens Augustin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/18/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/18/07, 11/29/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Terminal Disclaimer

1. The Request For Continued Examination filed on 09/18/2007 has been acknowledged. Evens Augustin is currently examining this case. All subsequent correspondence must be addressed to him.

Response To Arguments

2. The USPTO has reviewed the arguments/remarks mailed on 09/18/2007, but has not found those arguments to be persuasive.

3. Argument #1: Narin does not seem to disclose a web application that allows a group member to access digital records for software licenses.

4. Response #1: With regard to the web application, according to Microsoft Computer Dictionary (Microsoft Press, 1997), an application is defined as: *n.* A program designed to assist in the performance of a specific task, such as word processing, accounting, or inventory management. **World-Wide Web** *n.* The total set of interlinked hypertext documents residing on HTTP servers all around the world. Documents on the World Wide Web, called pages or Web pages, are written in HTML (Hypertext Markup Language), identified by URLs (Uniform Resource Locators) that specify the particular machine and pathname by which a file can be accessed, and transmitted from node to node to the end user under HTTP (Hypertext Transfer Protocol). Codes, called tags, embedded in an HTML document associate particular words and images in the document with URLs so that a user can access another file, which may be halfway

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around the world, at the press of a key or the click of a mouse. These files may contain text (in a variety of fonts and styles), graphics images, movie files, and sounds as well as Java applets, ActiveX controls, or other small embedded software programs that execute when the user activates them by clicking on a link. A user visiting a Web page also may be able to download files from an FTP site and send messages to other users via e-mail by using links on the Web page. The World Wide Web was developed by Timothy Berners-Lee in 1989 for the European Laboratory for Particle Physics (CERN). *Also called w³, W3, Web. See also* ActiveX controls, HTML, HTTP, HTTP server (definition 2), Java applet, URL. *Acronym: WWW.*

5. Therefore a web application is being interpreted as an application that runs on the internet. Thus, Narin teaches that the invention may be implemented in an environment of networked hosted services in which very little or minimal client resources are implicated, e.g., a networked environment in which the client device serves merely as a browser or interface to the World Wide Web (par. 35).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah (U.S 6434568, in view of Cronic et al. (U.S US 20030172035).

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6. As per claim 1, Narin et al teach a method comprising: maintaining digital records of software licenses for a group, the digital records indicating rights associated with software licenses, the digital records being accessible by a group member using a web application; and accessing, by the group member, the web application to input information concerning an software license that is not stored in the digital records so as to allow an administrator to add the missing software license (*see abstract, fig 11, paragraphs 0140-0154*).

7. As per claims 2-9, Narin et al teach a method wherein the web application provides the information to the administrator, allows the administrator to accept or deny the missing license and wherein accepted licenses are added to digital records, to request additional information from the group member, web application can be used to adjust the rights associated with the software license, to provide license keys for the software, uses role based security, stores configuration information for the computers running the licensed software (*see abstract, fig 11, paragraphs 0140-0154*).

8. As per claim 10, Narin et al teach a license management system comprising: a memory adapted to store digital records of software licenses for a group, the digital records indicating rights associated with software licenses, and a processor adapted provide a web application to allow a group member to access the digital records, the web application allowing a group member to input information concerning an software license that is not stored in the digital records so as to allow an administrator to add the missing software license (*see abstract, fig 11, paragraphs 0140-0154*).

9. As per claims 11-18, Narin et al teach a method wherein the web application provides the information to the administrator, allows the administrator to accept or deny the missing license and wherein accepted licenses are added to digital records, to request additional information from the group member, web application can be used to adjust the rights associated with the software license, to provide license keys for the software, uses role based security, stores configuration information for the computers running the licensed software (*see abstract, fig 11, paragraphs 0140-0154*).

10. As per claim 19, Narin et al teach a computer readable media comprising software to instruct a computer to do the steps of: maintaining digital records of software licenses for a group, the digital records indicating rights associated with software licenses, the digital records being accessible by a group member using a web application; and in response to accessing, by the group member, the web application to input information concerning an software license that is not stored in the digital records, enabling an administrator to add the missing software license (*see abstract, fig 11, paragraphs 0140-0154*).

11. As per claim 20-27, Narin et al teach a method wherein the web application provides the information to the administrator, allows the administrator to accept or deny the missing license and wherein accepted licenses are added to digital records, to request additional information from the group member, web application can be used to adjust the rights associated with the software license, to provide license keys for the software, uses role based security, stores

configuration information for the computers running the licensed software (*see abstract, fig 11, paragraphs 0140-0154*).

3. Narin did not explicitly describe a method/system that teaches web application. However, Cronic et al. describes an invention that relates to software licenses, and more particularly to establishing a record of licenses used on a user's computer such that licenses can be reviewed or retrieved for download to the user's computer in the case of a lost or damaged license. According to Cronic et al., web server 102 includes a web application 400 and associated database 407, which contains software licenses 143 that have been uploaded from user's computer 101 over network 103 (par. 20-23, 25-26, 34, 38-40).
4. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to construct a system that would employ a method/system that teaches web applications. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement such a system because it would ability to update and maintain Web applications without distributing and installing software on potentially thousands of client computers.

Conclusion

5. *Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested*

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that if the applicant is preparing to respond, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evens Augustin whose telephone number is 571-272-6860. The examiner can normally be reached on Monday thru Friday 8 to 5 pm.
7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571-272-6779.

/Evens J. Augustin/
Evens J. Augustin
December 26, 2007
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